

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEROME POLVAY, Individually
and on Behalf of all Others
Similarly Situated,

22-cv-4315 (JSR)

Plaintiff,

ORDER

-v-

FCTI, INC., and DOES 1-10,
Inclusive,

Defendants.

JED S. RAKOFF, U.S.D.J.

On February 3, 2023, plaintiff Jerome Polvay moved to certify a class defined as: "All holders of a checking account at one, or more Banks who were assessed more than one fee for a balance inquiry during the same visit to a FCTI ATM in the State of New York from May 1, 2019 to November 16, 2021.¹ Upon due consideration of the parties' written submissions and oral argument, the Court hereby grants plaintiff's motion and certifies that class. An opinion explaining the reasoning behind this ruling will follow in due course.

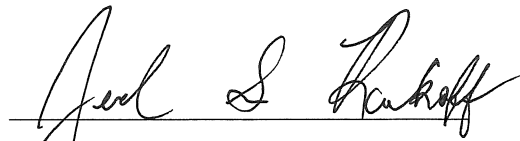
The Clerk is respectfully directed to close entry number 44 on the docket of this case.

SO ORDERED.

¹ "Banks" includes: New York Community Bank, KeyBank, Webster Bank, M&T Bank, TD Bank, Community Bank, Citizens Bank, NBT Bank, Bank of America, and Wells Fargo.

Dated: New York, NY

April 28, 2023


JED S. RAKOFF, U.S.D.J.